

Application No.: 09/625,790
Response dated July 26, 2005
Reply to Notice of Non-Compliant Amendment of June 28, 2005
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REMARKS

The corrected claim listing shows changes made relative to the amendment to the claims filed August 11, 2004. It is respectfully submitted that in all respects, the corrected claim listing submitted herewith is in accord with 37 C.F.R. §1.121. Accordingly, full consideration of the Amendment filed on April 15, 2005, which has now been made compliant, is respectfully requested.

Relative to the Amendment filed August 11, 2004, claims 1-6, 32-34, 44-47 and 51-53 have been canceled, and claims 57-66 have been added. New claims 57-64 include subject matter from Groups I and II, which Applicants are requesting be considered together. In this regard, it is noted that in the Advisory Action dated March 28, 2005, the Examiner indicated that Applicants' Amendment and Response (filed March 4, 2005), would likely result in a rejoinder of Groups I-II as set forth in the Office Action mailed October 15, 2004. However, the Amendment of March 4, 2005 was not entered since the Examiner alleged that claim 64 raised an issue of new matter. Also, in the Advisory Action, the Examiner stated that a new rejection of claim 57 under 35 U.S.C. §112, second paragraph would be necessitated by entry of the amendments of March 4, 2005, since it was allegedly not clear whether the eukaryotic cells are infected with a virus or not.

New claim 57 includes subject matter from canceled claims 2, 4, 5, 32 and 44. Furthermore, non-narrowing language adopted for claim 57 now ensures the proper understanding of the term "cells", and clarifies that the cells are infected with a virus using -1 ribosomal frameshifting. Support for this language can be found in the application, for example, at: page 11, lines 13-26; page 64, lines 7-13; and FIG. 15.

New claims 58, 59 and 60 include subject matter from canceled claims 45, 46 and 6, respectively. New claim 61 includes subject matter from canceled claims 4 and 33. New claim

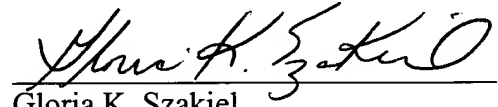
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62 includes subject matter from canceled claims 4 and 34. Claims 63 and 64 were added in response to a suggestion made by the Examiner in the final Office Action mailed October 15, 2004. Support for the language in new claims 63 and 64 can be found, for example, in FIG. 16B and FIG 16A, respectively. Support for new claims 65 and 66 can be found in the application, for example, in FIG. 15 (A and B).

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned agent at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461.

Respectfully submitted,



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